

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

[www.dps.texas.gov](http://www.dps.texas.gov)



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STEVE H. STODGHILL

September 20, 2019

**Via Email**

Alice Valkova

80040-12601423@requests.muckrock.com

RE: Public Information Request for the final report and any investigators notes for the Grand Jury related to the investigation into William Dean Stanford (PIR # 19-3893)

Ms. Valkova:

The Department received your above-referenced request on September 9, 2019. The Department has located records responsive to your request; however, we believe some or all of the records may be excepted from required public disclosure at this time. We are seeking a ruling from the attorney general's office with respect to disclosure of these records, and a copy of our request letter is enclosed. You will be notified directly by the attorney general's office when a ruling is issued.

If you have any questions regarding this request, please contact the Media and Communications office at [media@dps.texas.gov](mailto:media@dps.texas.gov). Thank you.

Cordially,

Brian Sears  
Assistant General Counsel

cc:

Attorney General of Texas  
Open Records Division  
209 West 14th Street, 6th Floor  
Austin, Texas 78701

**From:** 80040-12601423@requests.muckrock.com  
**Sent:** Sunday, September 8, 2019 4:45 PM  
**To:** OGC Webmaster  
**Subject:** Texas Public Information Act Request: William Dean Stanford

Texas Department of Public Safety  
Texas Public Information Act Office  
PO Box 4087  
Austin, TX 78773-0140

September 8, 2019

To Whom It May Concern:

Pursuant to the Texas Public Information Act, I hereby request the following records:

An investigation report by the Texas Rangers on William Dean Stanford who plead guilty to domestic violence as Leon County Road Commissioner 2018. He later resigned his office after conviction. The Texas Ranger who investigated the commissioner was Andre De La Garza of Company A. I am requesting the final report and any investigators notes for the Grand Jury.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

Sincerely,

alice valkova

Filed via MuckRock.com

E-mail (Preferred): [80040-12601423@requests.muckrock.com](mailto:80040-12601423@requests.muckrock.com)

Upload documents directly:

[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Ftexas-department-public-safety-621%252Fwilliam-dean-stanford-80040%252F%253Femail%253DOGC.Webmaster%252540dps.texas.gov&url\\_auth\\_token=AA AeEd7ye6U3-LbKrdmMIR8AQkA%3A1i74zf%3AJuThVflo7O59-fHO-Gs50XJ8K2Q](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Ftexas-department-public-safety-621%252Fwilliam-dean-stanford-80040%252F%253Femail%253DOGC.Webmaster%252540dps.texas.gov&url_auth_token=AA AeEd7ye6U3-LbKrdmMIR8AQkA%3A1i74zf%3AJuThVflo7O59-fHO-Gs50XJ8K2Q)

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For mailed responses, please address (see note):

MuckRock News

DEPT MR 80040

411A Highland Ave

Somerville, MA 02144-2516

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September 20, 2019

## Via Hand Delivery

Attorney General of Texas  
Open Records Division  
209 West 14th Street, 6th Floor  
Austin, Texas 78701

RE: Public Information Request for the final report and any investigators notes for the Grand Jury related to the investigation into William Dean Stanford (PIR # 19-3893)

**DATE REQUEST FOR INFORMATION RECEIVED:**

**9/9/2019**

**DATE REQUEST FOR RULING SUBMITTED TO ATTORNEY GENERAL:**

**9/20/2019**

Dear Open Records Division:

The Department of Public Safety received the above-referenced request for information from Alice Valkova on September 9, 2019. We believe some or all of the requested information is excepted from required public disclosure pursuant to section 552.101 of the Government Code. Accordingly, we are requesting a ruling regarding the release of these records.

Section 552.101 of the Government Code states that “[i]nformation is excepted from the requirements of Section 552.021 if it is information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” This section encompasses the doctrine of common-law privacy, which protects information that (1) contains highly intimate or embarrassing facts, the publication of which would be highly objectionable to a reasonable person, and (2) is not of legitimate concern to the public. *Indus. Found. v. Tex. Indus. Accident Bd.*, 540 S.W.2d 668, 685 (Tex. 1976). The type of information considered intimate and embarrassing by the Texas Supreme Court in *Industrial Foundation* included information relating to sexual assault, pregnancy, mental or physical abuse in the workplace, illegitimate children, psychiatric treatment of mental disorders, attempted suicide, and injuries to sexual organs. *Id.* at 683. In addition, your office has found that some kinds of medical information or information indicating disabilities or specific illnesses are excepted from required public disclosure under common-law privacy. *See* Open Records Decision Nos. 470 (1987) (illness from severe emotional and job-related stress), 455 (1987) (prescription drugs, illnesses, operations, and physical handicaps).

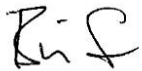
This section also encompasses the constitutional right to privacy. Constitutional privacy protects two kinds of interests. *See Whalen v. Roe*, 429 U.S.589,599-600 (1977); Open Records Decision Nos. 600 at 3-5 (1992), 478 at 4 (1987),455 at 3-7 (1987). The first is the interest in independence

in making certain important decisions related to the "zones of privacy," pertaining to marriage, procreation, contraception, family relationships, and child rearing and education, that have been recognized by the United States Supreme Court. *See Fado v. Coon*, 633 F.2d 1172 (5th Cir. 1981); Open Records Decision No. 455 at 3-7 (1987). The second constitutionally protected privacy interest is in freedom from public disclosure of certain personal matters. *See Ramie v. City of Hedwig Village, Tex.*, 765 F.2d 490 (5<sup>th</sup> Cir.1985); ORD 455 at 6-7. This aspect of constitutional privacy balances the individual's privacy interest against the public's interest in the information. *See* ORD 455 at 7. Constitutional privacy under section 552.101 is reserved for "the most intimate aspects of human affairs." *Id.* at 8 (quoting *Ramie*, 765 F.2d at 492).

The Department believes the marked records may be protected from disclosure by the doctrines of common-law and constitutional privacy. We have withheld all of the requested records so we do not inadvertently release confidential information in violation of section 552.352 of the Government Code and request that your office review the records in question and determine what information, if any, must be withheld from public disclosure pursuant to the doctrines of common-law and constitutional privacy.

Please find enclosed the request from Alice Valkova, the notice of our request for a ruling sent to the requestor, and the responsive records we wish to except from required disclosure. Please feel free to contact me at (512) 424-2890 if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "B. Sears", written in a cursive style.

Brian Sears  
Assistant General Counsel

Enclosure(s)

cc: Alice Valkova